

III. REMARKS

Status of the Claims

Claim 21 is canceled. Claims 10-20 and 22-26 are amended. Claims 10-20 and 22-26 are presented for reconsideration.

Summary of the Office Action

Claims 10-13 and 16-26 stand rejected under 35USC102(e) on the basis of the cited reference Aoki, U.S. Patent No. 5,438,359. Claims 14-15 stand rejected under 35USC103(a) based on the cited reference Aoki in view of the teaching of Parulski et al, U.S. Patent No. 5,475,441. The Examiner is respectfully requested to reconsider his rejection in view of the following remarks.

The application is amended to more positively claim a circuit card structure.

Discussion of the Cited Reference

The Examiner continues to rely on the cited reference Aoki as primary support for the rejections based on anticipation and obviousness. The reference Aoki is characterized by the Examiner as follows:

"As to claim 10, Aoki teaches that a circuit card (Fig. 1, items 1,3), which can be fitted to a card slot (Fig. 1, item 23, col. 2 lines 65-68)"

The issue in this application seems to be centered on the definition of a circuit card. It is Applicant's position that the expression "circuit card" is used in this application as defined in TheFreeDictionary:

"Noun 1. circuit card - a printed circuit that can be inserted into expansion slots in a computer to increase the computer's capabilities."

The circuit card of this application, therefore, has a well known shape and configuration as is common in the art and is designed for insertion in a card slot of a host computer according to principals known by a person skilled in the art.

The cited reference Aoki describes a camera system that consists of a camera and an external computer (column 1, lines 50-52). A recess in the shape of the camera is constructed in the computer to hold the camera. There is no mention of a circuit card having the elements of a camera constructed therein. The camera in Aoki is a separate fully operational camera that can be connected to a computer by placement in the holder.

The holder recess is not a card slot as in this application. It is well known that a card slot is a narrow opening for receiving different kinds of circuit cards, for example cards having a PCMCIA interface. In this application the circuit card is a camera card.

The camera card according to the claims of this application functions in cooperation with the host computer when the camera card is inserted in the card slot (page 7, paragraph 2). Contrary to the camera card of this application, the camera of Aoki does not function when it is inserted in the recess. This is described at column 5, lines 62-66, as follows:

"Note that once the camera is connected to the personal computer, the camera can no longer take a picture. However, this is not a serious problem because no one usually uses both the personal computer and the camera at the same time."

This statement in Aoki reveals a key distinguishing feature of the circuit card camera of this application, namely, that the circuit card functions to collect image data in cooperation with the host computer. The main purpose of the system of Aoki is to allow a convenient way of downloading data from the camera 1 to the computer. The camera 1 of Aoki is a separate appliance and is not an accessory to a computer, as in the subject application.

In the subject invention, the elements of a camera are integrated into the circuit card itself. The circuit card can be inserted into any conventional card slot used in personal computers. Aoki does not teach the circuit card of this application.

The Examiner is reminded that the anticipation analysis requires a positive answer to the question of whether the system of Aoki would infringe the claims of this application if it were later.

All of the claims of this application, as amended, are directed to: A device for collecting data in the form of images in association with a host computer, said device comprising:

"a circuit card, constructed to be received in a card slot of said host computer, said image data for use by said host computer for personal communication, data collection, and data processing, said circuit card further comprising:

optics built in said circuit card for obtaining image information;

an image sensor in said circuit card for obtaining image information;

an image processor in said circuit card;

a memory unit in said image processor for storing obtained image information; and

a processor unit in said image processor for processing obtained image information."

Since there is no camera circuit card in the camera system of the reference Aoki, and the camera of Aoki does not operate in cooperation with a host computer, there can be no infringement of the subject claims. Therefore the teaching of Aoki does not support the rejection based on anticipation with respect to any of the claims.

The Examiner has again cited the reference Parulski in support of the rejection of claims 14 and 15 based on obviousness. The device of Parulski provides an interface for connecting camera 20 to computer 10 via extender board 24. The interface is a PCMCIA card that engages a mating slot on computer 10. The interface is a separate component removable from the camera 20 and computer 10 (see column 3, lines 59-63). The interface card of Parulski does not have the elements of a camera, as described in the claims of this application. The circuit card of this invention integrates the elements of a camera function into the circuit card itself. This is not taught by the cited reference Parulski.

Because of the above described differences in the device of Parulski, the cited reference does not remedy the deficiencies of the reference Aoki.

It is well settled that in order to establish a prima facie case for obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, without reference to the disclosure of this application.

Applicant submits that the above described deficiencies of the primary reference Aoki are not remedied by the proposed combination with the teaching of the reference Parulski. The combined references do not therefore support a prima-facie case of obviousness. The modification of the teachings of Aoki or Parulski, in order to obtain the invention, as described in the claims submitted herein, would not have been obvious to one skilled in the art.

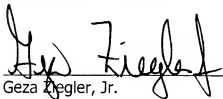
The above arguments apply equally to the rejected dependent claims.

For all of the above reasons, it is respectfully submitted that all of the claims, now present in the application, are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and

allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment of \$1810.00 for the RCE fee and the three-month extension of time as well as any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



Geza Ziegler, Jr.

Reg. No. 44,004

25 September 2006
Date

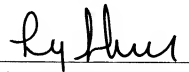
Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited transmitted electronically, on the date indicated below, addressed to the Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 25 September 2006

Signature:


Lisa Shimizu
Person Making Deposit